

REMARKS

I. Formalities

Applicant thanks the Examiner for indicating in the present Office Action that the Information Disclosure Statements filed on July 29, 2003 and on August 7, 2003 have been considered. However, although the Examiner forwarded copies the PTO 1449 Forms submitted by Applicant with the aforementioned Information Disclosure Statements, the Examiner did not sign these PTO 1449 Forms, nor did the Examiner initial the references cited therein.

Accordingly, Applicant respectfully requests that the Examiner sign the PTO 1449 Forms submitted on July 29, 2003 and on August 7, 2003, initial the references cited therein, and return them along with the next Office paper.

Additionally, in the Amendment filed on February 14, 2003, Applicant re-submitted to the Examiner a clean copy of the PTO 1449 Form submitted by Applicant with the Information Disclosure Statement filed on December 20, 2001, listing only the reference which the Examiner failed to initial. Subsequently, in the Amendment filed on July 2, 2003, Applicant noted that the re-submitted PTO 1449 Form was not enclosed with the Office Action mailed April 2, 2003, and Applicant kindly requested that the Examiner return the initialed PTO 1449 Form with the next Office paper. However, although the Examiner forwarded a copy of the aforementioned PTO 1449 Form, the Examiner did not sign this PTO 1449 Form, nor did the Examiner initial the reference cited therein. Accordingly, Applicant respectfully requests that the Examiner sign the PTO 1449 Form re-submitted by Applicant with the Amendment filed on February 14, 2003, initial the reference cited therein, and return it along with the next Office paper.

Moreover, the Examiner has not yet indicated whether the Formal Drawings filed on June 9, 2000 are accepted. Applicant respectfully requests that the Examiner acknowledge and approve the aforementioned Formal Drawings.

II. Status of the Application

By the present amendment, claims 1, 16, 19, 27, and 29 have been amended. Claims 1-8 and 10-30 are all the claims pending in the Application, with claims 1, 16, 19, 27, and 29 being in independent form. Claims 1-8 and 10-30 have been rejected.

III. Claim Rejections under 35 U.S.C. §103

The Examiner has rejected claims 1-8 and 10-30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,191,611 to Lang (hereinafter “Lang”), in view of U.S. Patent No. 4,907,268 to Bosen *et al.* (hereinafter “Bosen”), and further in view of European Patent 0 878 780 A2 to Whytock (hereinafter “Whytock”). Applicant respectfully traverses this rejection for *at least* the reasons stated below.

In order for the Examiner to maintain a rejection under 35 U.S.C. §103, Lang, Bosen, Whytock, or some combination thereof, must teach all of the limitations of claims 1-8 and 10-30. Applicant respectfully submits that neither Lang, Bosen, Whytock, nor any combination thereof, teaches or suggests all of the limitations of claims 1-8 and 10-30.

A. Independent Claim 1

Independent claim 1 requires:

...store the electronic data input from said input device by affixing thereto an electronic signature in the electronic data record file...

The grounds of rejection allege that the storage media sub-divided into a plurality of logical zones, as taught in the Abstract of Lang, inherently teaches storing the electronic data input from said input device, as recited in claim 1. Applicant respectfully disagrees with the grounds of rejection, and submits that Lang fails to teach or suggest storing the electronic data from said input device by affixing thereto an electronic signature in the electronic data record file, as required by Applicant's claim 1.

In contrast to the requirements of claim 1, Lang teaches that storage media disclosed therein may be sub-divided into a plurality of logical zones, and that access to the material on the storage media is granted based upon the logical zones to which a user is allowed information retrieval. *See e.g.*, Abstract. In particular, Lang teaches that the information provided on the storage media may include an index table listing a security identification code, the logical zones to which a particular user is assigned, and a personal security key used in conjunction with a personal access device such as a smart card. *See e.g.*, Abstract.

However, Lang provides no teaching or suggestion whatsoever that the storage media disclosed therein stores information from an input device by affixing thereto an electronic signature in the electronic data record file. Indeed, as disclosed in the present application, for

example, electronic signatures are affixed to the records in the electronic account file 16 for clarifying who inputs and updates each record. As such, this structure reveals illegal data alteration by uncertified persons. *See* Specification page 15, lines 8-10. In contradistinction, Lang teaches quite the opposite—that information such as an index table, a user's assigned logical zones, and a personal security key may be stored in the storage media without any indication whatsoever as to who inputted or altered such information, or as to whether such a person was certified.

Further, the teachings of Bosen and Whytock do not cure the deficient teachings of Lang. As a result, Applicant submits that neither Lang, Bosen, Whytock, nor any combination thereof, teaches or suggests storing the electronic data from an input device by affixing thereto an electronic signature in the electronic data record file, as required by Applicant's claim 1.

In addition, independent claim 1 further requires:

...update the electronic data in the electronic data record file by affixing thereto an electronic signature in accordance with the update data input by said input device...

With respect to the above requirement, the grounds of rejection allege that the normal update activities for updating the storage media's recorded material, as disclosed in Lang, correspond to updating the electronic data in the electronic data record file, as recited in Applicant's claim 1. Applicant respectfully disagrees with the grounds of rejection, and submits that Lang fails to teach or suggest updating the electronic data in the electronic data record file

by affixing thereto an electronic signature in accordance with the update data input by said input device, as required by Applicant's claim 1.

To the contrary, Lang teaches that, for remote users, it is possible to update the storage media's recorded material that was previously sent to the user. *See* column 12, lines 59-61. Specifically, Lang teaches that a recording medium such as a Write Once Read Many ("WORM") device, or the computer's magnetic memory, can be used to record update material. *See* column 12, lines 64-67. Lang teaches that such update data can then be transmitted to remote users, and that the user's smart card is used to filter out only those materials that are in the logical zones for which the user has privileges. *See* column 12, line 67 – column 13, line 3. Thus, Lang clearly does not teach or suggest updating the storage media taught therein by affixing thereto an electronic signature, as required by claim 1. Rather, Lang teaches updating information that was previously sent to a remote user, without indicating who updated such information, or whether such a person was certified.

Furthermore, the teachings of Bosen and Whytock do not cure the deficient teachings of Lang. As a result, Applicant submits that neither Lang, Bosen, Whytock, nor any combination thereof, teaches or suggests updating the electronic data in the electronic data record file by affixing thereto an electronic signature in accordance with the update data input by said input device, as required by Applicant's claim 1.

Accordingly, Applicant respectfully submits that independent claim 1 is patentable over Lang, Bosen, Whytock, and any combination thereof, for *at least* these reasons. Further,

Applicant respectfully submits that the dependent claims 2-8 and 10-15 are allowable, *at least* by virtue of their dependency on claim 1.

Thus, Applicants respectfully request that the Examiner withdraw this rejection.

B. Independent Claim 16

Independent claim 16 requires:

...electronic data recording means for recording information input by said data input means by affixing thereto an electronic signature...

Independent claim 16 also requires:

...data update means for updating the electronic data stored in said electronic data recording means by affixing thereto an electronic signature in accordance with the update data input by said update data input means...

In view of the similarity between the requirements of claim 16 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply by at least analogy to claim 16. As such, it is respectfully submitted that claim 16 is patentably distinguishable over Lang, Bosen, Whytock, and any combination thereof, for *at least* these reasons. Further, Applicant respectfully submits that the dependent claims 17-18 are allowable over the applied references *at least* by virtue of their dependency on claim 16. Accordingly, the allowance of these claims is respectfully solicited of the Examiner.

C. Independent Claim 19

Independent claim 19 requires:

...recording the input electronic data by
affixing thereto an electronic signature on
the electronic data record file...

Independent claim 19 further requires:

...updating the electronic data in the
electronic data record file by affixing
thereto an electronic signature in accordance
with the input update data...

In view of the similarity between the requirements of claim 19 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply by at least analogy to claim 19. As such, it is respectfully submitted that claim 19 is patentably distinguishable over Lang, Bosen, Whytock, and any combination thereof, for *at least* these reasons. Further, Applicant respectfully submits that the dependent claims 20-26 are allowable over the applied references *at least* by virtue of their dependency on claim 19. Accordingly, the allowance of these claims is respectfully solicited of the Examiner.

D. Independent Claim 27

Independent claim 27 requires:

...recording the input electronic data by
affixing thereto an electronic signature on
the electronic data record file...

Independent claim 27 further requires:

... updating the electronic data in the
electronic data record file by affixing

thereto an electronic signature in accordance
with the input update data...

In view of the similarity between the requirements of claim 27 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply by at least analogy to claim 27. As such, it is respectfully submitted that claim 27 is patentably distinguishable over Lang, Bosen, Whytock, and any combination thereof, for *at least* these reasons. Further, Applicant respectfully submits that the dependent claim 28 is allowable over the applied references *at least* by virtue of its dependency on claim 27. Accordingly, the allowance of these claims is respectfully solicited of the Examiner.

E. Independent Claim 29

Independent claim 29 requires:

...a segment for recording the input
electronic data by affixing thereto an
electronic signature on the electronic data
record file...

Independent claim 29 also requires:

...a segment for updating the electronic data
recorded on the electronic data record file
by affixing thereto an electronic signature
in accordance with the input update data...

In view of the similarity between the requirements of claim 29 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the

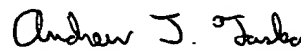
foregoing arguments as to the patentability of independent claim 1 apply by at least analogy to claim 29. As such, it is respectfully submitted that claim 29 is patentably distinguishable over Lang, Bosen, Whytock, and any combination thereof, for *at least* these reasons. Further, Applicant respectfully submits that the dependent claim 30 is allowable over the applied references *at least* by virtue of its dependency on claim 29. Accordingly, the allowance of these claims is respectfully solicited of the Examiner.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Andrew J. Taska
Registration No. 54,666

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: March 26, 2004